



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 22892

PERMIT 16532

LICENSE 10639

**THIS IS TO CERTIFY, That**

L. R. MARTIN, INC.

31681 RIVER ROAD, MADERA, CALIFORNIA 93637

HAS *made proof as of* MAY 15, 1975 *(the date of inspection)*  
*to the satisfaction of the State Water Resources Control Board of a right to the use of the water of*  
BUZZARD CANYON CREEK IN MADERA COUNTY

*tributary to* FRESNO RIVER

*for the purpose of* STOCKWATERING, RECREATIONAL AND FISH CULTURE USES  
*under Permit* 16532 *of the Board and that the right to the use of this water has been perfected*  
*in accordance with the laws of California, the Regulations of the Board and the permit terms; that the*  
*priority of this right dates from* AUGUST 23, 1967 *and that the amount of water to which*  
*this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated*  
*purposes and shall not exceed* SEVEN-TENTHS (0.7) ACRE-FOOT PER ANNUM, TO BE COLLECTED  
FROM OCTOBER 1 OF EACH YEAR TO JUNE 1 OF THE SUCCEEDING YEAR.

AFTER THE INITIAL FILLING OF THE RESERVOIR, LICENSEE'S RIGHT UNDER THIS  
LICENSE EXTENDS ONLY TO WATER NECESSARY TO KEEP THE STORAGE RESERVOIR FULL BY  
REPLACING WATER BENEFICIALLY USED AND WATER LOST BY EVAPORATION AND SEEPAGE, AND  
TO REFILL IF EMPTIED FOR NECESSARY MAINTENANCE OR REPAIR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SOUTH 250 FEET AND WEST 900 FEET FROM NE CORNER OF SECTION 24, T9S, R19E, MDB&M,  
BEING WITHIN NE $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SAID SECTION 24.

A DESCRIPTION OF LANDS OR THE PLACE WHERE  
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

AT RESERVOIR WITHIN NE $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 24, T9S, R19E, MDB&M.

THIS LICENSE DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE  
SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE OR FOR ANY OTHER PURPOSE.

THIS LICENSE IS SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES



THE QUANTITY OF WATER DIVERTED UNDER THIS LICENSE IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE LICENSEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

THE RESERVOIR SHALL BE KEPT OPEN TO THE PUBLIC FOR RECREATIONAL AND FISHING USE, SUBJECT TO A REASONABLE CHARGE FOR ANY SERVICES OR FACILITIES THAT ARE PROVIDED BY LICENSEE. FAILURE TO ALLOW PUBLIC ACCESS MAY RESULT IN REVOCATION OF THE LICENSE OR REDUCTION IN THE AMOUNT OF WATER THAT MAY BE STORED.

THIS LICENSE IS SUBJECT TO THE AGREEMENT DATED AUGUST 31, 1972 BETWEEN LICENSEE, MADERA IRRIGATION DISTRICT, AND THE U. S. BUREAU OF RECLAMATION, TO THE EXTENT SUCH AGREEMENT COVERS MATTERS WITHIN THE BOARD'S JURISDICTION. THE SPECIAL TERMS OF SAID AGREEMENT ARE AS FOLLOWS:

A. THIS LICENSE IS CONDITIONED UPON THE LICENSEE MAINTAINING THE EXISTING LEVEL OF BRUSH REMOVAL AND VEGETATION MANAGEMENT HERETOFORE ACCOMPLISHED BY LICENSEE. 'EXISTING LEVEL' IS UNDERSTOOD TO MEAN THAT LEVEL REACHED AT OR ABOUT THE TIME APPLICANT'S PROPERTY WAS INSPECTED BY REPRESENTATIVES OF THE U. S. BUREAU OF RECLAMATION AND THE MADERA IRRIGATION DISTRICT ON MARCH 29, 1971. SUCH VEGETATION MANAGEMENT PROGRAM HAS CONSISTED OF BRUSH AND TREE CLEARING, CONTROL BURNS AND CHEMICAL APPLICATIONS; IT IS STIPULATED THAT AS A RESULT OF SAID PRACTICES ENOUGH WATER HAS BEEN SAVED TO MAKE UP AT LEAST THE AMOUNT OF WATER PROVIDED FOR IN LICENSEE'S COMBINED PERMITS.

B. LICENSEE SHALL ALLOW INSPECTION OF HIS PROPERTY AND DAMS BY REPRESENTATIVES OF THE MADERA IRRIGATION DISTRICT AND/OR THE U. S. BUREAU OF RECLAMATION ANNUALLY AFTER REASONABLE NOTICE, UNLESS SUCH INSPECTION IS WAIVED.

C. THE BOARD SHALL RETAIN CONTINUING JURISDICTION OF PERMITS AND LICENSES ISSUED; IN THE EVENT THE DISTRICT OR THE BUREAU DETERMINES THAT THE BRUSH MANAGEMENT PROGRAM HAS NOT BEEN MAINTAINED AT ITS PRESENT LEVEL, EITHER MAY APPLY TO SAID BOARD FOR RECONSIDERATION AS TO WHETHER SAID PERMITS OR LICENSES SHOULD BE REVOKED IN WHOLE OR IN PART.

D. THESE STIPULATIONS AND CONDITIONS ARE BINDING UPON LICENSEE, HIS SUCCESSORS IN INTEREST, GRANTEEES AND ASSIGNS, AS TO ALL OR ANY PORTION OF LICENSEE'S LAND.

THIS LICENSE IS SUBJECT TO THE PRIOR RIGHT TO DIVERT WATER FROM BUZZARD CANYON CREEK OF APPLICATION 22302, PERMIT 15249, OF FRED C. MASSETTI. THE DIVERSION OF WATER UNDER THIS LICENSE BY L. R. MARTIN, INC. IS IN RECOGNITION OF SAID PRIORITY AND NO PRESCRIPTIVE RIGHTS AGAINST FRED C. MASSETTI OR HIS SUCCESSORS IN INTEREST SHALL BE OBTAINED FROM ANY DIVERSIONS UNDER THIS LICENSE, OR OTHERWISE, AT THE LOCATION SPECIFIED IN THIS LICENSE.